

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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**PATRICIA COSGROVE**

**Plaintiff**

**v.**

**NEW SEABURY RESOURCES  
MANAGEMENT, INC.,**

**Defendant**

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**CIVIL ACTION NO. 05-10791- GAO**

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**DEFENDANT NEW SEABURY RESOURCES MANAGEMENT INC.'S  
MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Now comes New Seabury Resources Management Inc., ("NSRM") defendant in the above entitled action and moves pursuant to Rule 37 of the Federal Rules of Civil Procedure, for an order compelling the Plaintiff Patricia Cosgrove ("Cosgrove") to produce her 2005 federal and state income tax returns<sup>1</sup> and all documentation relating to her receipt of unemployment compensation benefits received from October 31, 2003 to the present time and continuing.

In this case Cosgrove seeks back pay for her alleged unlawful termination of her employment by Defendant based on pregnancy discrimination, violation of the Family and Medical Leave Act and retaliation from October 31, 2003 to the present time and continuing. As more fully set forth in the memorandum in support of the instant motion the foregoing documents are relevant to the issue of mitigation of the back pay damages which the Plaintiff is seeking.

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<sup>1</sup> The request for income tax returns is continuing in nature and any such order should include the requirement that income tax returns should be provided for the duration of the back pay period.

WHEREFORE, it is respectfully submitted that the instant motion be granted.

Respectfully submitted,  
New Seabury Resources  
Management, Inc.,  
By its attorney,

s/ Howard I. Wilgoren  
HOWARD I. WILGOREN.  
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Boston, MA 02108  
(617) 523 - 5233  
BBO No. 527840

DATED: April 28, 2006

CERTIFICATE OF SERVICE

I, hereby certify that on this 28<sup>th</sup> day of April 2006, I caused a copy of the foregoing document was served on the Plaintiff electronic filing on to her Attorneys, Shannon Liss – Riordan, and Hillary Schwab, 18 Tremont Street, 5<sup>th</sup> Floor, Boston, MA 02108

s/ Howard I. Wilgoren  
Howard I. Wilgoren